

Message

From: Ed Burt [eburt.hd@gmail.com]
Sent: 11/28/2022 9:37:52 PM
To: Nierenberg, Kara (she/her/hers) [Nierenberg.Kara@epa.gov]
CC: Bruce Thompson [brucet@demaximis.com]; garry waldeck [Garry.Waldeck@state.ma.us]; twatson@hopedale-ma.gov; BOH Members [bohmembers@hopedale-ma.gov]; Hopedale Conservation Commission [Conservation@hopedale-ma.gov]; Glenda Hazard [ghazard@hopedale-ma.gov]; Meeks, Sarah [Meeks.Sarah@epa.gov]; Purnell, Zanetta [Purnell.ZaNetta@epa.gov]
Subject: Re: Hopedale Railyard, Contaminated Soils spill

Thank you Kara.

Please do keep us informed as you receive more info, and have answers to the specific questions.

I'll keep you posted with anything new from our end.

Thanks,
Ed

On Mon, Nov 28, 2022 at 12:37 PM Nierenberg, Kara <Nierenberg.Kara@epa.gov> wrote:

Hi Ed,

Last Monday morning during our phone call I shared with you all the information I have regarding the spilled soil on the previous Thursday (11/17/22). Most importantly I shared was how the spill was addressed according to the procedures in the T&D Plan. The soil was promptly covered on Thursday (11/17/22) immediately following the spill and the emergency response team remediated the area on Friday (11/18/22). When I receive the draft After Action Spill Report from US Ecology/de maximis I will share it with you. The After Action Spill Report will discuss observations, root causes, and corrective actions related to the spill. The NMI site team is actively working to resolve the broken bag issues through a number of approaches (decreasing weight of each bag, changing type of dump truck being used, avoiding use of hydraulic gate lift on truck tailgate, etc.) in order to minimize future releases of soil.

I do not have concerns that the spilled soil may have impacted the wetlands or Mill River. In addition, I've discussed this with MassDEP and the release is not considered a "Reportable Release" under the MCP (310 CMR 40.0000); therefore, no reporting of the spill is required to MassDEP or the Town of Hopedale.

US Ecology (the transportation contractor), de maximis (the lead site contractor) and EPA's oversight contractor are overseeing the loading of materials at the transload facility as necessary. In addition, there is now plastic sheeting on the ground opposite the loading ramp to provide a ground surface barrier in the case of future spills during transfer.

We will continue to share relevant information with you share as we receive it.

Kara Kelly Nierenberg, PE

Massachusetts Superfund

617-918-1435

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Massachusetts Superfund

617-918-1435

From: Ed Burt <eburt.hd@gmail.com>
Sent: Wednesday, November 23, 2022 10:01 AM

To: Nierenberg, Kara <Nierenberg.Kara@epa.gov>; Bruce Thompson <brucet@demaximis.com>; garry waldeck <Garry.Waldeck@state.ma.us>

Cc: twatson@hopedale-ma.gov; BOH Members <bohmembers@hopedale-ma.gov>; Hopedale Conservation Commission <Conservation@hopedale-ma.gov>; Glenda Hazard <ghazard@hopedale-ma.gov>

Subject: Hopedale Railyard, Contaminated Soils spill

Hi Kara,

It's been almost a full week now since contaminated soils from NMI spilled within Hopedales's Zone II Water protected district. The spill happened on the first day of the delivery of this material. No official notice, with any detailed information has been provided about the spill or any subsequent transports.

The questions around the Zone II requirements and emergency procedures remain, while the situation also reinforces the concerns related to:

1. The lack of local oversight and inability to perform their public safety responsibilities.
2. The lack of preparation for this material to reside within a Zone II, most likely because the subcontractors in this may have never disclosed the fact this transport was going through a Zone II water protected district.

Please provide detailed responses to the outstanding questions, below, by end of day Monday, November 28, so we have the most up to date information to help us establish our next steps to address this issue.

Thank you,

Ed

Specific questions from Conservation Committee:

1. How far away, in feet, was the spill from the Mill River
2. How far away, in feet, was the spill from the wetlands located behind 127-129 Mendon Street (Route 16).
3. Was any of the spill located within the FEMA regulated floodplain located on the property.
4. Did any of the material fall into the Mill River or the wetlands listed.

Regarding the truck route:

1. The Hopedale Police Chief did forward Bruce Thompson's email notice. We only have the Hopedale contacts. Was Milford corrected in the documentation and notified?
2. Any issues with the area being under construction just before the railyard entrance?
3. Any issues regarding the Milford downtown route?
4. A resident commented about a truck on Route 140, coming north. A route that is not on the NMI plan. Was that one of the NMI trucks?

Regarding the soils, and packaging:

1. Any malfunctions in the bags during transit?
2. Any malfunctions in the bags going from truck to train car - First bag and all bags to fill the rail car? (YES, there was a 'small spill', picture attached, clean-up addressed per Appendix C)
3. Any residue outside of the packages in the trucks, or the rail car? (Yes, per #2)

Regarding the process:

1. When the truck was loaded in Concord, how were the materials validated as safe to be transported?

2. Was the same process repeated when arriving in Hopedale to ensure that there were no issues during the truck transport?
3. After transporting the bags from truck to train car, was a similar process repeated to ensure nothing happened in the truck to rail car move? (For both the truck and the railcar)
4. What is the daily oversight and documentation process? Who confirms that what was expected actually happened?
5. When will Appendix C be updated to reflect the situation that just happened, bag malfunctions during the truck to train gondola loading and that GURR's Hopedale railyard is in fact in Hopedale, MA and is in fact a Zone II Water Protected District?

Regarding the emergency procedures:

1. Was a test of these procedures done, simulating various situations?
2. Were the trucks splash guards or a similar protection in place?
3. Were ground barriers, rail pans and/or additional ground level protections in place? (NO, per the picture).
4. Were all personnel knowledgeable in what to do if there was a spill?

There are a number of local officials, with various oversight responsibilities that would like to see this operation in person. How can we make that happen?